

1 EDMUND G. BROWN JR.
Attorney General of California
2 GLORIA A. BARRIOS
Supervising Deputy Attorney General
3 MICHAEL BROWN
Deputy Attorney General
4 State Bar No. 231237
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2095
6 Facsimile: (213) 897-2804
Attorneys for Complainant

7
8 **BEFORE THE**
BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. 924-A

11 **AMIN KHALILI**
12 **P. O. Box 27831**
Anaheim, CA 92808
13 **Civil Engineer License No. C 45066**

A C C U S A T I O N

14 Respondent.

15
16 Complainant alleges:

17 **PARTIES**

18 1. David E. Brown (Complainant) brings this Accusation solely in his official capacity
19 as the Executive Officer of the Board for Professional Engineers and Land Surveyors,
20 Department of Consumer Affairs.

21 2. On or about October 6, 1989, the Board for Professional Engineers and Land
22 Surveyors issued Civil Engineer License Number C 45066 to Amin Khalili (Respondent). The
23 Civil Engineer License was in full force and effect at all times relevant to the charges brought
24 herein and will expire on March 31, 2012, unless renewed.

25 **JURISDICTION**

26 3. This Accusation is brought before the Board for Professional Engineers and Land
27 Surveyors (Board), Department of Consumer Affairs, under the authority of the following laws.
28 All section references are to the Business and Professions Code unless otherwise indicated.

1 4. Section 6775 of the Code states, in pertinent part, that "[T]he board may reprove,
2 suspend for a period not to exceed two years, or revoke the certificate of any professional
3 engineer registered under this chapter:

4 ...

5 "(d) Who has been found guilty by the board of any breach or violation of a contract to provide
6 professional engineering services."

7 5. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
8 administrative law judge to direct a licentiate found to have committed a violation or violations of
9 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
10 enforcement of the case.

11 6. Section 11519(d) of the Government Code provides, in pertinent part, that the
12 Director may require restitution of damages suffered as a condition of probation in the event
13 probation is ordered.

14 **FIRST CAUSE FOR DISCIPLINE**

15 (Breach of Contract)

16 7. Respondent is subject to disciplinary action under section 6775, subdivision (d), for
17 breach of contract, in that Respondent failed to provide professional engineering, as follows:

18 A. On or about December 19, 2006, Respondent entered into a written contract with
19 Stephen Taylor to engineer a water main, at the property located at 3189 Candela, Joshua Tree,
20 California. Respondent failed to complete the work as agreed.

21 B. On or about April 28, 2005, Respondent entered into a written contract with
22 Mahmoud Maraach to provide a grading plan and perform surveying, at the property located at
23 2246 Scenic Ridge Drive, Pomona, California. Respondent submitted the grading plans to the
24 City of Pomona and the grading plans were returned for corrections, Respondent failed to
25 complete the grading plans.

26 ///

27 ///

28 ///

1 PRAYER

2 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
3 and that following the hearing, the Board for Professional Engineers and Land Surveyors issue a
4 decision:

5 1. Revoking or suspending Civil Engineer License Number C 45066, issued to Amin
6 Khalili.

7 2. Ordering Amin Khalili to pay the Board for Professional Engineers and Land
8 Surveyors the reasonable costs of the investigation and enforcement of this case, pursuant to
9 Business and Professions Code section 125.3;

10 3. Ordering Amin Khalili's to make restitution of all damages according to proof
11 suffered by Stephen Taylor and Mahmoud Maraach, as a condition of probation in the event
12 probation is ordered;

13 4. Taking such other and further action as deemed necessary and proper.
14
15

16 DATED: 5/5/10

Original Signed

17 DAVID E. BROWN
18 Executive Officer
19 Board for Professional Engineers and Land Surveyors
20 Department of Consumer Affairs
21 State of California
22 *Complainant*

23
24
25
26
27
28
LA2010600356
50618546.doc